

### **Remarks**

This Amendment is in response to the Office action mailed September 23, 2010. It is believed that no fees are due in connection with the present Amendment. However, in the event any fees are due, kindly charge the cost thereof to our Deposit Account No. 13-2855.

### **Status of the Claims**

Claims 25 and 29 are pending in the present application. Claim 25, line 5 is amended to insert "opposing" before "sides" to clarify that the guide members extend along the *opposing* sides. Claim 25, lines 7-8 are amended to clarify that the "respective side" is a "respective side of the tape cassette". Claim 25, line 10, is amended to change "plane of the respective side" to "plane of its respective side" to make the claim read better. Claim 25, line 14 is amended to change "tape" to "print receiving medium" for antecedence purposes. Claim 25, line 15, "a platen in the cassette" is amended to read "a platen of the cassette" to make the claim read better. These amendments are supported by the specification as originally filed and do not add any new matter.

### **Response to Rejections Under 35 USC § 103**

Claims 25 and 29 were rejected under 35 USC § 103 as being unpatentable over Huss et al., US Patent no.6,520,696 ("Huss"), in view of Iwane et al., US Patent No. 5,645,360 ("Iwane"), and Palmer et al., US Patent No. 6,152,623 ("Palmer"). According to the Office action, Huss teaches "... the body having a guide member on each of two opposing sides extending along said sides in a second direction perpendicular to the first direction for guiding the tape cassette into a tape printer in the second direction and locating the tape cassette in the tape printer." In other words, the reference is considered in the Office action to disclose that the

guide portions are for guiding the tape cassette into a tape printer in a direction perpendicular to the axis of the tape spool, *i.e.* lateral insertion of the tape cassette into a tape printer. However, it is respectfully submitted that there is no suggestion or disclosure in Huss of a tape cassette being suitable for lateral insertion into a tape printer.

The Office action also continues to indicate Huss shows “wherein each guide member extends outwardly from its respective side and comprises a first elongate member disposed in a plane perpendicular to a plane of its respective side and a second elongate member disposed in a plane parallel to the plane of its respective side”. Referring to the annotated version of Figure 1 of Huss provided on page 3 of the Office action, it appears that item 21 of Huss is considered in the Office action to be the “second elongate member,” and the member attached to and perpendicular to item 21 is considered to be the “first elongate member”. Utilizing these annotations, it is respectfully submitted that the “second elongate member” of Huss is disposed in a direction parallel to a *length* of the side of the tape cassette, and further respectfully submitted that the “first elongate member” of Huss is disposed in a direction perpendicular to the *length* of the side of the tape cassette. However, *both* of the first and second elongate members of Huss are disposed in a *plane* perpendicular to the plane of the side of the cassette (*i.e.* as distinct from “a first elongate member disposed in a plane perpendicular to a plane of its respective side and a second elongate member disposed in a plane *parallel* to the plane of its respective side” as recited by Applicant’s claim 25, as amended).

It is further respectfully submitted that Huss does not illustrate “wherein said elongate member is attached to said second end of said first elongate member and extends at least partially along a length of the said second end”. The Office action does not indicate where in the Huss reference this feature can be found. Even if combined or modified according to one or both of

Iwane and Palmer, the result would not satisfy Applicant's claims 25 and 29. It is therefore respectfully submitted that a *prima facie* case of obviousness has not been established.

The Office action relies upon Iwane to provide the feature of a platen in the cassette. Iwane does show a platen 60 as part of a cassette. However, it is respectfully submitted that a person of ordinary skill in the art would not combine this feature with the cassette of Huss. This is because the cassette of Huss is designed to operate in a printer in which both the printhead and platen are part of the printer and not part of the cassette. *See*, for example, Figure 6 of Huss, in which the cassette is illustrated in a printer having a printhead 7 and a platen 8. Thus, it would be contrary to the instincts of one of ordinary skill in the art to adapt Huss to provide a platen on the cassette itself. Not only would such a feature be redundant (since the of Huss cassette is designed for printers that already include a platen), but since the platen has to be positioned in an opposing relationship to the printhead for proper operation, such a cassette-mounted platen in Huss would prevent the cassette from being inserted into a printer. The proposed combination or modification of Huss in view of Iwane would therefore be inoperable, as the proposed cassette would be obstructed from being properly placed into the printer by the platen contained in the printer.

The Office action further cites Palmer as providing the feature of "each guide member extending from an end of its respective side opposite said side including the opening". It is understood that item 38 in Figure 17 of Palmer is considered in the Office action to be the guide members. However, it is respectfully submitted that these are not guide members and they are not part of the cassette. Rather, they are clips that are part of the printer and clip onto the corners of the cassette when it has been fully inserted into the printer. *See* col. 15, lines 55-59 of Palmer: "The cassette 20 is retained in place by clips 38. The clips 38 are provided in the cassette

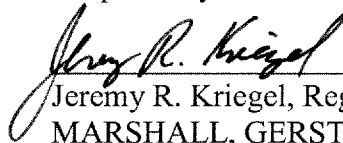
receiving bay 18 and clip over the cassette 22 to retain it in place. These clips 38 may be manually operated by the user". As to claim 29, the Office action indicates that Palmer teaches wherein each guide member has a substantially T-shaped cross section, referring to Figure 17. However, inasmuch as the elements identified as reference numbers 38 are clips, as opposed to guide members, it is respectfully submitted that Palmer's Figure 17 does not support the rejection. Therefore, the proposed combination or modification of Huss in view of Iwane and Palmer would not provide the feature of "each guide member extending from an end of its respective side opposite said side including the opening", and thus would not result in the Applicant's claims 25 or 29.

As a result, it is respectfully submitted that claims 25 and 29 are not rendered obvious from the proposed combination or modification of Huss in view of Iwane and Palmer.

Withdrawal of the rejections and favorable action are respectfully requested.

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Respectfully submitted,



Jeremy R. Kriegel, Reg. No. 39,257  
MARSHALL, GERSTEIN & BORUN LLP  
233 South Wacker Drive, 6300 Willis Tower  
Chicago, Illinois 60606  
Tel. (312) 474-6300  
Fax (312) 474-0448

Attorney for Applicant